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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,211	03/14/2001	Thomas D. Erickson	YOR9-2000-0671US1 (8728-4)	3294
46069 7590 03/09/2007 F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			EXAMINER JEAN GILLES, JUDE	
			ART UNIT	PAPER NUMBER
			2143	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/808,211

Applicant(s)

ERICKSON ET AL.

Examiner

Jude J. Jean-Gilles

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-20 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-20 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to communication filed on 12/15/2006. Claimed priority is granted from foreign application No: 60244838 with a priority date of 11/01/2001.

Response to Amendment

1. This action is responsive to the reply filed on 12/15/2006. Claim 12 has been amended and claims 2 and 21 are canceled. There are no newly added claims. Claims **1, 3-20 and 22** are pending. Claims **1, 3-20 and 22** represent a method and apparatus for "MULTIPLE PERSPECTIVE ACTIVITY MAP DISPLAY."

Response to Arguments

2. Applicant's arguments with respect to claims independent claims **1, 12 and 19** have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new ground of rejection as explained here below.

The dependent claims stand rejected as articulated in the First Office Action and all objections not addressed in Applicant's response are herein reiterated.

The double patenting rejection on the ground of nonstatutory obviousness-type double patenting has been withdrawn, the Terminal Disclaimer attached to the Reply dated 12/15/2006 has been accepted by the Office.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 3-20 and 22** are rejected under 35 U.S.C. 102(e) as being anticipated by Liou, Pub No. US 2002/0059395 A1.

Regarding **claim 1, 3-20 and 22**, Liu discloses:

1. (Previously Presented) A computer-implemented method for representing user activity within an environment (figs. 1 and 2) comprising the steps of:

displaying an activity map comprising at least two perspectives of the environment (fig. 1), wherein each perspective is an abstract graphical display of at least one aspect of the user activity within the environment (abstract; Par. 0022);

selecting an element of a first perspective, wherein the element of the first perspective is an abstract graphical display of a first predefined characteristic of the user activity within the environment (fig. 1, items 106 and 108; par. 0034-0037); and

displaying a tangible link representing an association between the element of the first perspective and at least one element of a second perspective, wherein each element of the second perspective is an abstract graphical display of a corresponding

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predefined characteristic of the user activity within the environment (fig. 1, items 102-108).

2. (Cancelled)

3. (Previously Presented) The computer-implemented method of claim 1, further comprising the steps of:

determining a value of at least one predefined characteristic of the user activity (par. 0035-0036); and

dynamically incorporating the value of the at least one predefined characteristic of the user activity in the activity map (par. 0022-0023).

4. (Previously Presented) The computer-implemented method of claim 1, wherein each predefined characteristic of the user activity includes one of a user location, a user status within a hierarchy, a user emotion, and a quality of user conversation (par. 0057).

5. (Previously Presented) The computer-implemented method of claim 1, wherein the tangible link associates the at least two perspectives of the activity map (fig. 1; par. 002-1008).

6. (Previously Presented) The computer-implemented method of claim 1, wherein the tangible link is a line linking a user's activity represented separately in the at least two perspectives of the activity map (figs. 1 and 2).

7. (Original) The computer-implemented method of claim 5, wherein the tangible link is one of a tangible aural cue, and a tangible tactile cue (figs. 1 and 2).

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8. (Previously Presented) The computer-implemented method of claim 1, wherein the activity map includes a geographic perspective and a discussion perspective, the two perspectives associated by the user activity within the environment (figs. 7 and 8).

9. (Previously Presented) The computer-implemented method of claim 8, wherein the discussion perspective includes at least one topic, wherein each topic is an element (figs. 7 and 8).

10. (Previously Presented) The computer-implemented method of claim 1, wherein each perspective is one of a representation of the user activity, and a representation of user input to the environment (figs. 7 and 8; discuss).

11. (Original) The computer-implemented method of claim 1, wherein the environment is a transactional environment (figs. 7 and 8; pricing).

12. (Currently Amended) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for interacting with an environment having an aspect (figs. 1 and 2), the method steps comprising:

representing the aspect in an activity map including at least two perspectives of the aspect (abstract; Par. 0022);

representing an activity of a user within the environment, wherein the activity corresponds to the aspect and is represented in each perspective separately (fig. 1, items 106 and 108; par. 0034-0037); and

representing the activity of the user as a tangible link between each perspective of the aspect (fig. 1, items 102-108).

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13. (Original) The program storage device of claim 12, wherein the environment is a transactional environment and the user is a market participant (figs. 7 and 8).

14. (Original) The program storage device of claim 12, wherein the activity map includes at least one perspective in which an on-line transaction is conducted (figs. 7 and 8).

15. (Original) The program storage device of claim 12, wherein the tangible link is a tangible cue which associates the perspectives (figs. 1, 7 and 8).

16. (Previously Presented) The program storage device of claim 12, wherein the tangible link is a line linking a user's activity represented separately in the at least two perspectives of the activity map (figs. 1, 7 and 8).

17. (Original) The program storage device of claim 12, wherein a single perspective incorporates more than one aspect (figs. 1, 7 and 8).

18. (Original) The program storage device of claim 12, wherein the aspect may be represented by more than one perspective (figs. 1, 7 and 8).

19. (Previously Presented) A computer-implemented method for representing a transactional environment having aspects (figs. 7 & 8) comprising the steps of:

displaying at least one different aspect of user activity in each of at least two perspectives of an activity map, wherein the perspectives are associated by the user activity of a market participant, wherein an association between perspectives is represented as a tangible link connecting perspectives, wherein the tangible link is a line linking aspects of the user activity of the market participant represented separately in the at least two associated perspectives of the activity map (abstract; Par. 0022);

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providing at least one perspective in which an on-line transaction is conducted between at least two market participants (fig. 1 though the interactive catalog); and

representing the market participant within the activity map (figs. 8 and 9; note that the "browsing profile" and profile database act jointly to display participant's profile) .

20. (Original) The computer-implemented method of claim 19, wherein perspectives of the activity map are associated by market participant activity (figs. 1, 7 and 8).

21. (Cancelled)

22. (Original) The computer-implemented method of claim 19, wherein the transactional environment is one of a business, a market place, and an auction house (figs. 1, 7 and 8).


Conclusion

5. Applicant's arguments made in the amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE NON-FINAL**. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles
Patent Examiner
Art Unit 2143


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

JJG

February 27, 2007